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COMPANIA MEXICANA DE AVIACION, S.A.
7 DE C.V. D/B/A MEXICANA AIRLINES
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10 IN THE UNITED STATES DISTRICT COURT
11 FOR THE SOUTHERN DISTRICT OF CALIFORNIA

12 BIGFOOT VENTURES, LLC,
13 Plaintiff/Counterdefendant,

14 v.

15 COMPAÑÍA MEXICANA DE
AVIACIÓN, S.A. DE C.V. D/B/A
16 MEXICANA AIRLINES,

17 Defendant/Counterclaimant.
18

) Civil Action No.:
) 08 CV 1357 BEN (JMA)

) **DEFENDANT'S NOTICE OF**
) **MOTION AND MOTION FOR**
) **PARTIAL SUMMARY**
) **JUDGMENT**

) Date: May 10, 2010
) Time: 10:30 a.m.
) Courtroom: 3
) Honorable Robert T. Benitez

NOTICE OF MOTION

PLEASE TAKE NOTICE that on May 10, 2010 at 10:30 a.m., Defendant Compañía Mexicana de Aviación S.A. de C.V. d/b/a Mexicana Airlines (“Mexicana”) will appear in the above referenced Court, located at 940 Front Street, Courtroom 3, San Diego, CA 92101, and will, and hereby does, move the Court for Partial Summary Judgment.

MOTION

Defendant Compañía Mexicana de Aviación S.A. de C.V. d/b/a Mexicana Airlines (“Mexicana”) hereby moves the Court for Partial Summary Judgment. This motion is based upon this Notice of Motion and Motion, the accompanying Memorandum of Points and Authorities, the Declaration of Jorge Goytortua with supporting exhibits, and the Declaration of Lauren Keller Katzenellenbogen with supporting exhibits, filed concurrently herewith, as well as such other oral and/or documentary evidences as may be presented at or before the time of the hearing.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: March 30, 2010

By: s/Lauren Keller Katzenellenbogen

Michael K. Friedland

Lauren Keller Katzenellenbogen

Attorneys for Defendant and Counterclaimant,
COMPANÍA MEXICANA DE AVIACIÓN, S.A.
DE C.V. D/B/A MEXICANA AIRLINES

PROOF OF SERVICE

I, Lauren Keller Katzenellenbogen, certify that on March 30, 2010, I presented the within **DEFENDANT'S NOTICE OF MOTION AND MOTION FOR PARTIAL SUMMARY JUDGMENT** to the Clerk of Court for filing and uploading to the ECF system which will send notification to the following:

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I declare under penalty of perjury that the foregoing statements are true and correct.

s/Lauren Keller Katzenellenbogen
Lauren Keller Katzenellenbogen
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